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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/870,010	05/29/2001	Tetsuji Yamaguchi	83300.0003	8423

26021 7590 06/09/2006

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EXAMINER

POON, KING Y

ART UNIT PAPER NUMBER

2625

DATE MAILED: 06/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/870,010	YAMAGUCHI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	King Y. Poon	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 24 March 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                                                        |                                                                                         |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                            | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

### DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 2/15/2006 has been entered.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 3 are rejected under 35 U.S.C. 102(e) as being anticipated by Kusumoto (US 6,351,315).

Regarding claims 1, 3: Kusumoto teaches a system (fig. 3) of managing image data (column 7, lines 35-40) in a network (Ethernet, column 7, lines 15-21), comprising: an image input device (line sensor 17, column 4, lines 50-55); an image forming device (the rest of the copier, fig. 1) including storage means (memory unit 30, column 4, lines 50-60) for storing image data inputted by the image input device, at least one of the image input device and the image forming device being connected to the network

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(column 7, lines 15-25); and a client computer (computer 5, column 7, lines 15-23), connected to the network, receives (column 11, lines 14-20, column 7, lines 35-40) the image data transmitted by the image forming device, for managing the image data stored in the storage means via the network.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 2, 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kusumoto (US 6,351,315) in view of Gase (US 6,184,996).

Regarding claims 2, 4: Kusumoto teaches a system (fig. 3) of managing image data (column 7, lines 35-40) in a network (Ethernet, column 7, lines 15-21), comprising: an image input device (line sensor 17, column 4, lines 50-55); an image forming device (the rest of the copier, fig. 1) including storage means (memory unit 30, column 4, lines 50-60) for storing image data inputted by the image input device, at least one of the image input device and the image forming device being connected to the network (column 7, lines 15-25); and a client computer (computer 5, column 7, lines 15-23), connected to the network, receives (column 11, lines 14-20, column 7, lines 35-40) the image data transmitted by the image forming device, for managing the image data stored in the storage means via the network; wherein the image forming device further

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includes a converter (encoder 305, column 9, lines 40-50) and a network interface (310, fig. 7, and the software of the CPU that controls 310, column 10, lines 20-25); the storage means comprises a binary data storage section (304, fig. 7) for storing the image data as binary data and a higher level data (column 11, lines 1-5, column 11, lines 14-18) storage section (306, fig. 7) for storing higher level data converted from the binary data by the converter (column 9, lines 15-20, column 9, lines 40-50); and the network interface includes a software for managing the text data, and transmit the text data stored in the text data storage section to the client computer (column 7, lines 35-34.

Note: the binary data and the text data is being interpreted as text data in binary form and higher level form respectively.

Although it is well known in the art and knowledge generally available to a person with ordinary skill in the art that a scanned document includes text image data, Kusumoto does no specifically mention that.

Gase teaches it is well known in the art for a scanned document containing text images (column 4, lines 60-65).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have used Kusumoto's copier to scan a text document to create a text image such that Kusumoto would be used by companies, students, teachers, government because human communicates with text.

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***Response to Arguments***

6. Applicant's arguments with respect to claims 1-4 have been considered but are moot in view of the new ground(s) of rejection. Please see detailed office action.

***Conclusion***

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to King Y. Poon whose telephone number is 571-272-7440. The examiner can normally be reached on Mon-Fri 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

June 8, 2006

  
KING Y. POON  
PRIMARY EXAMINER